

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 10, 1998

DIVISION TWO

B109104 Helen Mabie et al. (Certified for Publication)
 v.
 Kathy Hyatt et al.

Filed order modifying opinion and denying rehearing. (Change in judgment.)

B109395 People (Not for Publication)
 v.
 Donna L. Sherry-Lennart

The Court:

The judgment (order granting probation) is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

B109810 People (Not for Publication)
 v.
 Duane Smith

The judgment is affirmed.

Fukuto, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION TWO (Continued)

B109681 Jason W. Perrault (Not for Publication)

v.

University of Southern California

The appeal from the order denying motion to tax costs is dismissed. The judgment is reversed. On remand, the superior court shall enter judgment granting a writ of mandate requiring USC to vacate its expulsion of appellant and to reimpose that penalty effective as of a date after January 18, 1995, such that operation of the penalty will not deprive appellant of any academic credit, including grades, that he earned prior to September 28, 1995. USC's request for sanctions is denied. The parties shall bear their own costs.

Fukuto, Acting P.J.

We concur: Nott, J.

 Zebrowski, J.

B109579 Keith Sinclair (Not for Publication)

v.

RBJ Computer Systems, Inc.

The judgment is affirmed.

Fukuto, Acting P.J.

We concur: Nott, J.

 Zebrowski, J.

B110364 Fireman's Fund Insurance Company et al. (Not for Publication)

v.

American Casualty Company of Reading

The judgment is reversed. The trial court is directed to set aside its order of November 20, 1996, striking appellant's answer and entering its default and to hold further proceedings consistent with the views expressed in this decision. The parties shall bear their own costs on appeal.

Fukuto, Acting P.J.

We concur: Nott, J.

 Zebrowski, J.

March 10, 1998-Continued

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J., and J. Belcher, Deputy Clerk.

Each of the following:

B113896 People v. Wells
B114500 People v. Hawthorne
B113105 People v. McCallister
B115719 People v. Christopher H.
B112471 People v. Timothy O'Connor
B113192 People v. Jonathan C.
B106041 People v. Redmon

Argument waived, cause submitted.

B097440 Peter Verney
B105429 v.
B114261 Jeunique International, Inc.
Semperite Enterprises, Ltd.

Merits:

Argued by Philip A. Levy for appellant Verney, by Stuart B. Esner for appellant Semperite Enterprises, and by M. Laurie Murphy for respondent Jeunique International. Cause submitted.

The court recessed at 9:35 a.m.

The Court reconvened at 10:00 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J., and J. Belcher, Deputy Clerk.

DIVISION FIVE (Continued)

Each of the following:

B086805 People v. Williams

B110426 People v. Bradley

Argument waived, cause submitted.

B096786 Robert E. Gordon
 v.
 Rick Hamm, et al.

Merits:

Argued by Thomas S. Arthur for cross-appellant Deere Credit, by Mark A. Zimmerman for cross-appellant Hamm et al., and by Edward L. Laird for cross-appellant Gentra Capital. No appearance for appellant Gordon.
Cause submitted.

Court recessed at 10:45 A.M.

The Court reconvened at 11:00 A.M.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

Each of the following:

B111024 People v. Holman

B111108 People v. Smith

B111466 People v. Claiborne

B117871 People v. T. Randy

B112687 People v. McIntosh

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B110758 The People
 v.
 Jose Trejo

Merits:

Argued by John L. Staley for appellant and by Lauren E. Dana, deputy attorney general for respondent. Cause submitted.

B105477 The People
 v.
 Timothy Fonseca

Merits:

Argued by Sylvia L. Paoli for appellant and by G. Tracey Letteau, deputy attorney general for respondent. Cause submitted.

B118351 City of Los Angeles
 v.
 Los Angeles Superior Court
 (Paul Fisher, r.p.i.)

Merits:

Argued by Molly Roff-Sheridan for petitioner and by Arthur J. Behar for real party in interest. Cause submitted.

B117840 20th Century Insurance Co.
 v.
 Los Angeles Superior Court
 (Alfredo La Faurie, r.p.i.)

Merits:

Argued by Roy G. Weatherup for petitioner and by David A. Prestholt for real party in interest. Submission deferred.

DIVISION FIVE (Continued)

B117841 Janice Ramsay
 v.
 Los Angeles Superior Court
 (Alfredo La Faurie, r.p.i.)

Merits:

Argued by David Ozeran for petitioner and by David A. Prestholt for real party in interest. Submission deferred.

The court recessed at 12:20 P.M.

The Court reconvened at 1:00 P.M.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

Each of the following:

B111075 Guillen v. Arias
B109580 Smith & Daughter v. City of Long Beach
B115712 DCS v. Eva V.
B112027 People v. Perrin
B112938 People v. Carr

Argument waived, cause submitted.

B109815 John C. Taylor
 v.
 Ampco System Parking, Inc.

Merits:

Argued by John C. Taylor in propria persona and by Toni Rae Bruno for respondent. Cause submitted.

DIVISION FIVE (Continued)

B107970 Estate of John M. Stahl, Deceased
 v.
 Robyn Stahl et al.
 (Wells Fargo Bank et al., r.p.i.)

Merits:

Argued by Kevin V. Kozal for appellants and by William S. Davis for respondents. Cause submitted.

B110668 Paul Bashkin
 v.
 Stephan Math et al.

Merits:

Argued by Nate Kraut for appellant and by Daniel S. Wallis for respondents. Cause submitted.

B112691 Henry Yasmeh
 v.
 Jack Kotlar

Merits:

Argued by Russell J. Thomulka for appellant and by Sheryl Mandelbaum for respondent. Cause submitted.

B112347 Peter Jorgenson
 v.
 Harvey Birsner

Merits:

Argued by Peter Jorgenson, appellant in propria persona and by Matthew Rungaitis and Raimo Kaasik for respondents. Submission deferred.

The court adjourned at 2:35 P.M.

March 10, 1998-Continued

DIVISION SIX

B110278 Keith W. G. (Certified for Publication)
v.
Suzanne E. H.

The order is affirmed. Costs to respondent.

Yegan, J.

We concur: Stone, P.J.
 Gilbert, J.

B116602 Townsend (Certified for Publication)
v.
S. B. Cnty Superior Court
EMC Mortgage Co.

Let a writ of mandate issue directing respondent court to set aside its orders granting the motion to compel and imposing monetary sanctions, and to issue a new order denying the motion and sanctions.

Stone, P.J.

We concur: Gilbert, J.
 Coffee, J.

B116913 Matheson (Not for Publication)
v.
S.B. Cnty Superior Court
Hayton

Let a peremptory writ of mandate issue directing respondent superior court to set aside its order denying petitioner's motion to quash service of the summons and complaint, and to enter an order quashing service for want of personal jurisdiction. Petitioner's request for sanctions is denied.

Yegan, J.

We concur: Stone, P.J.
 Gilbert, J.

March 10, 1998-Continued

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Stone, P.J.
 Yegan, J.

B111821 People (Not for Publication)
v.
Williams

The judgment is affirmed.

Stone, P.J.

We concur: Gilbert, J.
 Yegan, J.

B113789 Ratcliff
v.
Department of Corrections

B119185 Ratcliff
v.
Department of Corrections

Filed order consolidating above captioned appeals.

B110639 Schonfeldt
v.
State of California

Filed order modifying opinion and certifying for publication. (No change in the judgment.)

March 10, 1998-Continued

DIVISION SEVEN

B107347 People (Not for Publication)
v.
Martin

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B106761 People
v.
Moore

Filed order denying petition for rehearing.

B110234 Cater-Craft
v.
Hi-Way Transfer

Submission order filed.